

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Chapter 13

Case No.

ORDER CONFIRMING PLAN

Debtor(s). _____/

The debtor(s) filed a Plan under Chapter 13 of the Bankruptcy Code on _____, a copy of which was served on creditors (and, if applicable, an amended Plan on _____). After hearing on notice on _____ the Court finds that:
(date plan confirmed)

1. The Plan complies with 11 U.S.C. 1325(a), and other applicable bankruptcy laws, rules and procedures.

THEREFORE, IT IS ORDERED THAT:

1. The debtor(s)' Plan (or amended Plan, if applicable) filed on _____, is confirmed.
2. The future income of the debtor(s) shall be submitted to the supervision and control of Devin Derham-Burk, Trustee herein, as is necessary for the execution of the Plan.
3. Any creditor whose claim is entirely disallowed by final non-appealable order, and any creditor listed in the debtor(s)' original Schedules that has not filed a proof of claim by the claims bar date need not be served with notice of any subsequent action in this case by the debtor(s) or the Trustee unless such creditor files a request for special notice with the Court and serves such request upon the Trustee and the debtor(s)' attorney. Notwithstanding the above, if the proposed action would adversely affect a creditor, that creditor must be served notice.
4. Until the Plan is completed, dismissed, or converted to a case under a different chapter of the Bankruptcy Code, the debtor(s) shall, pursuant to the terms of the Plan, pay to the Trustee the sum of \$ _____ no later than the last day of each month, at P.O. BOX 50013, San Jose, California 95113.
5. If the debtor(s) fail(s) to timely tender a payment as set forth above, the Plan shall be considered in default. Upon written notice of default by the Trustee, the debtor(s) shall, within Twenty (20) days of said notice, either: 1) cure the Plan default; or 2) meet and confer with the Trustee and enter into stipulation resolving the default in a manner acceptable to the Trustee; or 3) file and serve a Motion to Modify Plan within (20) days of the date of the Trustee's notice, which shall propose terms under which the Plan is not in default and which shall provide for Plan completion within sixty (60) months of the original date the Chapter 13 petition was filed. The foregoing shall be accomplished no later than twenty (20) days after the date of said notice. If the debtor(s) fail(s) to comply with the foregoing within the time prescribed, the case shall be dismissed forthwith without further notice or hearing.
6. Except as otherwise provided in the Plan or in the Order Confirming the Plan, the Trustee shall make payments to creditors under the Plan.

Dated: _____,

UNITED STATES BANKRUPTCY JUDGE

Approved as to form and content

Dated: _____,

DEVIN DERHAM-BURK, Chapter 13 Trustee

(rev. 4/04)